

_____ BILL NO. _____

INTRODUCED BY _____

(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING MOTOR VEHICLE LIABILITY INSURANCE POLICIES TO INCLUDE UNINSURED MOTOR VEHICLE COVERAGE; AMENDING SECTIONS 33-23-201 AND 33-23-204, MCA; AND PROVIDING AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-23-201, MCA, is amended to read:

"33-23-201. Motor vehicle liability policies to include uninsured ~~motorist~~ motor vehicle coverage

~~—rejection by insured. (1) No~~ A motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle may not be delivered or issued for delivery in this state, with respect to any motor vehicle registered and principally garaged in this state, unless uninsured motor vehicle coverage is provided ~~therein in~~ or supplemental ~~thereto to the policy;~~. The coverage must in comply with limits for bodily injury or death set forth in 61-6-103, under provisions filed with and approved by the commissioner, for the protection of persons insured ~~thereunder under the policy~~ who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, ~~or disease, including or death;~~ resulting ~~therefrom, from or~~ caused by an accident arising out of the operation or use of ~~such the insured~~ vehicle. An uninsured motor vehicle is a ~~land~~ motor vehicle, the ownership, ~~the~~ maintenance, or ~~the~~ use of which is not insured or bonded for bodily injury liability at the time of the accident.

~~(2) The named insured shall have the right to reject such coverage. Unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with the policy previously issued to him by the same insurer."~~

Section 2. Section 33-23-204, MCA, is amended to read:

"33-23-204. Definitions. As used in this part, the following definitions apply:

(1) "Motor vehicle" means a vehicle propelled by its own power and designed primarily to transport

1 persons or property upon the highways of the state. The term does not include a bicycle as defined in 61-1-123.

2 (2) "Motor vehicle liability policy" means a policy of automobile or motor vehicle insurance against
3 liability required under Title 61, chapter 6, parts 1 and 3, and all additional coverages included in or added to
4 the policy by rider, endorsement, or otherwise, whether or not required under Title 61, including, without
5 limitation, ~~uninsured~~, underinsured, and medical payment coverages."

6
7 NEW SECTION. **Section 3. Applicability.** [This act] applies to motor vehicle liability insurance policies
8 issued or renewed on or after [the effective date of this act].

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